

and the fact was just as well known to my constituents as that I, myself, existed, that I was in favor of throwing before the people the appointment of all the officers of the State, from the Governor to the sheriff. I must take this opportunity, however, to say, that it was not until to-day that I was aware of the different opinion of my colleague. We live in the same little village, and I have never before heard that my friend was opposed to the election by the people, and I have uniformly, until to-day, supposed that he was heart and soul in the same cause. I certainly have most wonderfully misunderstood my friend upon this question. But it is enough for me to say, that all who know me and my political course of life—not, to be sure, a very long one—are aware that I am not one of those who look out for public favor or public popularity. Whatever course I believe to be right in itself, I invariably pursue. If I meet the condemnation of my constituents, be it so. In my honest opinion, two-thirds of the people of our country will be, if they are not now, in favor of that great republican principle. But were I the only man in my county in favor of it, I would stand by this principle, even at the expense of personal sacrifices, popularity and political advantage. I thought it proper to say thus much in reference to this difference of opinion between my colleague and myself, which has so recently come to my knowledge. It will be considered by him, of course, as I hope and trust, an honest difference of opinion; and I shall be perfectly willing to leave to time, the great arbiter of all things, to test the accuracy of our judgments with regard to the sentiments of our constituents upon this matter.

Mr. Tuck made a few further remarks.

Mr. Hicks. As we have seemed to resolve ourselves into an experience meeting; perhaps it might not be amiss for me to give a word or two of my experience. I came from a county where the people are pretty staid, quiet, and old fashioned; and unlike some gentlemen upon this floor, we are in that respect fair representatives of the people of Dorchester. We stand here as one man, with us differences of opinion upon this subject certainly. There will be no variation in the accounts we have to render, upon this subject at least. I rose particularly for the purpose of saying that this is a matter in which I have thought it best to yield pretty much to the members of the profession. It seems now, however, to have become rather a scrambling among them as to the mode of arranging it. I am not at all connected with the profession, or interested in the profession. So far as I know, I have not the remotest blood relation who has the honor to be a member of the profession. I come here therefore perfectly unprejudiced, so far as interest, feeling, and ambition are concerned. I consider myself as standing here emphatically, one of the people. If I really believed that the people are so excessively anxious that this matter should be thrown into their hands, I yield as a matter of course any partiality of mine for the present judiciary system. But I do not believe the people care a

great deal about it. We seem to have come here with a fixed purpose as one to create offices, for whom I do not know; but after the offices are created, it has been decided that the members of the Convention are to take the chances of being elected to them. I dare say most of them, so far as Dorchester is concerned, and I intend to confine my remarks particularly to the feeling of the people of that county upon the subject of the elective judiciary. Dorchester county was canvassed from side to side, and from end to end. Our adversaries started decidedly in favor of an elective judiciary; but they very soon found that they should have to poll off, and did take the back track, and at last they went so far as to say that they did not care what the mode of appointment was; all they wanted was to limit the time of service. We said that if we could do no better we would go for a shorter term, but never make them re-eligible; but we wanted no changes in the system.

Our people did not care a tittle about the changes, they desired reform, and particularly retrenchment. They denied the entailment of the expenses. They were told that the present judiciary system was enormously expensive. They were told too that \$180,000 a year could be saved by the holding of this Convention. A little reflection, however, convinced them that this was rather an extravagant estimate, especially when it was considered that the entire expenses of the State did not amount to that sum.

But they wanted retrenchment. The conclusion to which I have come, after having canvassed pretty thoroughly, and being well acquainted with the people, is, that they would prefer to have the expenses reduced. They think judges and lawyers are a pretty extravagant sort of men, and that the judiciary system costs too much. But with a few exceptions I do not believe they care at all about the mode of appointment; although they would prefer it should remain as it is. If you could have been in our county last September, at the election, when it was submitted to the people to say whether we should; or should not have a Convention, you would have seen no agitation. I remember that one of the voters thought they were exclusively ill-treated because the Convention was not there. He cursed the man; he had never seen him, and if Mr. Convention would not show himself among the people he would not vote for him. And he went home without voting. I mention this only to show that interest will call the candidates for judgeship. The agitation was got up by demagogues. I say it plainly and fearlessly, and not by the masses of the people. We should be vastly more quiet. Our institutions would be vastly more permanent and beneficial to the people, if it were not for this eternal agitation by particular individuals. I do not mean to intimate that gentlemen upon this floor intend improperly to agitate these questions. When I think about the danger of making politicians of your judges; when I think that your and my property, ay, life, liberty, and that the personal preservation